

FULL NAME

CURTIS LAMONT BROWN
COMMITTED NAME (if different)

F.C.I Sheridan p.o. box 5000 Sheridan,
FULL ADDRESS INCLUDING NAME OF INSTITUTION
Oregon 97378

74650-065
PRISON NUMBER (if applicable)

FILED 11 SEP 17 10:43 USDC ORP

UNITED STATES DISTRICT COURT

PLAINTIFF,

v.

DEFENDANT(S).

CASE No. CV 3:17-cv-1434-JO
(To be supplied by the Clerk)

CIVIL RIGHTS COMPLAINT
PURSUANT TO (check one)

☐ ~~42 U.S.C. § 1983~~

or

☒ Bivens v. Six Unknown Agents
403 U.S. 388 (1971);

A. PREVIOUS LAWSUITS

- 1) Have you brought any other lawsuits in a federal court while a prisoner: ☐ Yes ☒ No
- 2) If your answer to 1 is yes, how many? _____ Describe the lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on an attached piece of paper using the same outline.)

a. Parties to this previous lawsuit:

Plaintiff _____

Defendants _____

b. Court _____

c. Docket or case number _____

d. Name of judge to whom case was assigned _____

e. Disposition (For example: Was the case dismissed? If so, what was the basis for dismissal? Was it appealed? Is it still pending?) _____

f. Issues raised: _____

g. Approximate date of filing lawsuit _____

h. Approximate date of disposition _____

B. EXHAUSTION OF ADMINISTRATIVE REMEDIES

1) Is there a grievance procedure available at the institution where the events relating to your current complaint occurred? ☒ Yes ☐ No

2) Have you filed a grievance concerning the facts relating to your current complaint?
☒ Yes ☐ No

If your answer is no, explain why not _____

3) Is the grievance procedure completed? ☐ Yes ☐ No

If your answer is no, explain why not _____

4) Please attach copies of papers related to the grievance procedure.

C. JURISDICTION

This complaint alleges that the civil rights of plaintiff Curtis Lamont Brown
(print plaintiff's name)

who presently resides at F.C.I Sheridan of Oregon, were violated
(mailing address or place of confinement)

by the actions of the defendant(s) named below, which actions were directed against plaintiff at F.D.C/F.C.I
Sheridan Oregon 97378
(institution/city where violation occurred)

on (date or dates) 8-20-2012, 5-20-2015
(Claim I) (Claim II) (Claim III)

(You need not name more than one defendant or allege more than one claim; however, make a copy of this page to provide the information below if you are naming more than five (5) defendants.)

1) Defendant J. Pond RN resides or works at
(full name of first defendant)

F.C.I sheridan of Oregon 97378
(full address of first defendant)

B.O.P nurse RN
(defendant's position and title, if any)

The defendant is sued in his/her: ☒ individual ☒ official capacity. (Check one or both).

Explain how this defendant was acting under color of law:

misdiagnosis of uveitis and failure to seek a second opinion
after perscribed medication had no effect to condition

2) Defendant D. Miller resides or works at
(full name of second defendant)

F.C.I sheridan Oregon 97378, and is employed as
(full address of second defendant)

outdoor recreation officer
(defendant's position and title, if any)

The defendant is sued in his/her: ☒ individual ☒ official capacity. (Check one or both.)

Explain how this defendant was acting under color of law:

by falling on plaintiff and causin^g bodily injury

3) Defendant _____ resides or works at
(full name of third defendant)

_____, and is employed as
(full address of third defendant)

(defendant's position and title, if any)

The defendant is sued in his/her: ☐ individual ☐ official capacity. (Check one or both.)

Explain how this defendant was acting under color of law:

4) Defendant _____ resides or works at
(full name of fourth defendant)

_____, and is employed as
(full address of fourth defendant)

(defendant's position and title, if any)

The defendant is sued in his/her: ☐ individual ☐ official capacity. (Check one or both.)

Explain how this defendant was acting under color of law:

5) Defendant _____ resides or works at
(full name of fifth defendant)

_____, and is employed as
(full address of fifth defendant)

(defendant's position and title, if any)

The defendant is sued in his/her: ☐ individual ☐ official capacity. (Check one or both.)

Explain how this defendant was acting under color of law:

E. CLAIMS*

CLAIM I

The following civil right has been violated:

I have lost my right eye due to misdiagnosis as well as extreme pain and suffering and staff fell on me causing bodily injury, pain and suffering due to broken cartilage and torn ligaments in right wrist

Supporting Facts: [Include all facts you consider important. State the facts clearly, in your own words, and without citing legal authority or argument. Be certain you describe, in separately numbered paragraphs, exactly what each DEFENDANT (by name) did to violate your right.]

*If there is more than one claim, describe the additional claim(s) on another attached piece of paper using the same outline.

F. REQUEST FOR RELIEF

I believe that I am entitled to the following specific relief:

\$6,000,000 and 6 years off remainder of my sentence.

9-1-17

(Date)

Curtis L. Brown

(Signature of Plaintiff)

PLAINTIFF'S DECLARATION

On or about August 8, 2012, I was a passenger in a single vehicle accident where I hit my head on the roof and the windshield. After the accident, I have had problems with my eyes such as floaters, redness, itchiness, severe pain and draining.

I was in the Sheridan Federal Detention Center in unit J-2 and in August of 2013 my right eye started draining, became inflamed and felt like I had sand in my eye. I brought my eye problem to the attention of FDC Sheridan nurse J. Pond on 8/23/13 and she told me she thought it was pink eye. She prescribed me eye drops for pink eye with which I followed instructions. When I finished the doses, I advised the nurse that the medication did not work. She told me she would prescribe another bottle of eye drops for pink eye and left.

So after taking medical advice from Sheridan Medical staff, I accepted the diagnosis of pink eye. In February 11, 2014, I woke up one morning and could not see out of my right eye. I looked in the mirror and noticed that my right pupil was white with cataracts.

I have gone through several surgeries with O.H.S.U. for ureitis on 10/2/15, 12/21/15, and ultimately had my eye removed on 11/20/16.

All of this would have been avoided if I was not misdiagnosed and instead given the right medication to treat ureitis.

I had suffered excruciating pain on off the chart levels and deal with coping with losing one of my eyes that could have and should have been saved. I feel depressed from time to time and still suffer phantom pains in my right eye socket.

I swear under penalty of perjury that the preceeding statement is true.

Dated this ____ day of September, 2017.

Curtis Brown

Plaintiff

PLAINTIFF'S DECLARATION

On 5-20-15, I was called to R & D at the F.C.I. Sheridan Prison around 6:30A, to go to a follow up appointment at the hospital in McMinnville, Oregon. I was secured with shackles, cuffs and the black box restraint device.

Officer Miller took me to my appointment and at or around 9:30 we were leaving the hospital and officer Miller decided to take a short cut through the wet grass.

I got into the transport van and sat in the middle of the bench seat and officer Miller got in the van to fastn my seat belt, and while he was reaching across me he slipped and fell on top of my wrists which were bound by the black box for 3 hours. I heard my wrist crack 3-4 times and it hurt badly.

We came back to F.C.I. Sheridan and I brought it to officer Miller's attention that my wrist was swollen all the way to the cuff which was doubled locked. I advised Miller that I needed meidcal attention. So we went to medical and Miller did his incident report and I had x-rays done and medical told me nothing was wrong.

Since then, my wrist has been deformed and extremely painful and a year later I got an M.R.I. scan done which shows that I have broken cartilage and torn ligaments from the accidental slip and fall by officer Miller.

To this day, I have had to wear a wrist brace, suffer from severe pain, a deformed wrist and little to no treatment. Ortho-

pedic doctor Dr. Peter Van Patten told me that my cartilage is shattered and my ligaments are torn and that it was beyond his expertise and he was referring me to the O.H.S.U to see a specialist.

I feel like this incident has damaged me so severely that I can not write a full page letter to my children and other family nor draw pictures any more. All I have to show is a deformed wrist and a lot of pain and suffering.

I swear under penalty of perjury that the preceding statement is true.

Dated this ____ day of September, 2017.

Curtis Brown, #74650-065

Plaintiff

Due to the extreme pain and suffering for several years and the permanent damage to my field of vision and lack of use in my dominant hand, I want to set my Bivens Act civil case at \$6 million dollars.

I suffer day in and day out and am ridiculed by staff about having one eye. I suffer with bouts of depression daily from knowing that my eye condition could have been prevented.